

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

UNITED STATES OF AMERICA, :
: :
: :
v. : Case No. 2:90 CR 92-1
: :
ROBERT J. RIDEOUT : :

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed March 28, 2019. After careful review of the file and the Magistrate Judge's Report and Recommendation, no objections having been filed by any party, this Court ADOPTS the Magistrate Judge's recommendations in full for the reasons stated in the Report.

A district judge must make a *de novo* determination of those portions of a magistrate judge's report and recommendation to which an objection is made. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b) (1); *Perez-Rubio v. Wyckoff*, 718 F. Supp. 217, 227 (S.D.N.Y. 1989). The district judge may "accept, reject, or modify, in whole or in part, the magistrate's proposed findings and recommendations." *Id.*

The motion under 28 U.S.C. §2255 to vacate, set aside or correct a sentence (Doc. 72) is GRANTED. It is also ordered that the government's Motion to Dismiss (Doc. 75), which the government has elected not to defend (Doc. 90), is DENIED.

Dated at Burlington, in the District of Vermont, this
20th day of August, 2019.

/s/ William K. Sessions III

William K. Sessions III

U.S. District Court Judge